

## **New Starts Bi-Weekly Briefing – April 7, 2010**

**Notes:** Bring scorecard to each meeting.

TRO-1, TRO-2, TRO-3, TRO-6, TRO-8, TRO-9, and TRO-10 participated via teleconference.

### **Orlando Commuter Rail**

- The Florida Department of Transportation (FDOT) wants to include the cost of Positive Train Control (PTC) in its Full Funding Grant Agreement (FFGA) cost estimate. PTC will cost \$4.0-\$5.0 million.
- FDOT requests New Starts funds to help fund PTC, which is a regulatory requirement.
- FTA has requested a white paper regarding PTC.
- Since the state legislature approved the liability waiver for CSX Railroad, FDOT has learned that the Surface Transportation Board (STB) needs to determine what entity has jurisdiction over the project. A decision normally takes three to four months.
- FDOT would like an FFGA to move forward as soon as possible after the STB makes its determination.
- Amtrak rescinded its Memorandum of Understanding (MOU) with FDOT. The MOU covered shared stations and bus bridges during construction.
- FDOT does not propose a direct agreement with Amtrak instead, it would use CSX for an Amtrak waiver until work with CSX is completed. Later, FDOT would negotiate with Amtrak for a few issues.
- STB is now the enforcer of Amtrak access to CSX.
- NEXT STEPS/ACTION ITEMS:
  - For the interim, TOA would like to say “No” to the request for FTA funding of the PTC.
  - How will FTA deal with PTC for future projects?
  - Do we want or need all operating agreements to be signed before we execute an FFGA?

### **Miami North Corridor**

- TRO-4 has learned that Miami-Dade might want to withdraw the Orange Line project from the New Starts pipeline and develop a smaller project.

### **Access to the Region’s Core**

- TPE distributed letters from Governor Christie and the Port Authority dated April 6<sup>th</sup>. The former letter affirms Transportation Trust Fund money for the project and the latter contains the request to the Governor.
- FTA is moving forward with the Early Systems Work Agreement (ESWA), which TOA has now.
- Bids expire April 16<sup>th</sup>.
- There is a three-day process with the Hill regarding ESWAs so approval should occur by tomorrow. Once approval occurs, staff should inform TCA.
- The finance plan shows annual funding of \$350.0 million for several years. Is this acceptable?
- TPE distributed a spreadsheet of projected New Starts outlays through 2020.

- The Office of Inspector General's (OIG) draft report of the project is available. The OIG wants special waste, fraud, and abuse oversight because the fund will use \$130.0 million in ARRA (American Recovery and Reinvestment Act) funds.
- The OIG concurred with the reviews and recommendations FTA included in the FD approval letter.
- Can we execute an FFGA by September? Uncertain.
- NEXT STEPS/ACTION ITEMS:
  - A separate conversation needs to occur about the oversight matter.
  - At some point, FTA needs to talk about the funding needed for the South Portal Bridge.

### **Denver East Corridor and Gold Line**

- TPE is circulating the FD packages.
- FTA sent the 10-day letter to the Hill last week.
- NEXT STEP/ACTION ITEM:
  - We might need to include some language about DBE in the letter.

### **Honolulu**

- Honolulu has sent information about the impacts of a realignment. The initial review indicates that the responses address FTA's concerns.
- Will FTA proceed to a Final Environmental Impact Statement (FEIS) or prepare a supplemental environmental document?
- If FTA decides to prepare a FEIS, TCC recommends we write a memorandum to the file stating why this option was chosen.
- TCC said the issuance of a ROD (Record of Decision) will be a key point for the project. A ROD can be released no earlier than 30 days after the close of the public comment period. However, TPE noted, FTA will have to respond to comments.
- NEXT STEPS/ACTION ITEMS:
  - The Transportation Commission of Honolulu will meet tomorrow.
  - TOA wants FTA offices to talk with each other then inform him of an approximate time the ROD can be anticipated to be signed or published.

### **Houston North and Southeast Corridors**

- Houston Metro is addressing a few comments.
- TPE is preparing the FFGA packages and will share them with the Executive Management Team next week and to OST by April 27<sup>th</sup>.
- OST has requested a briefing before they receive the packages.
- FTA staff is hoping for concurrent OST and OMB reviews.
- TOA believes FTA should conduct the pre-briefing so we can speed-up the process when we finally send the packages to OST. After conducting the briefing, FTA can suggest or request concurrent OST/OMB reviews.
- Some news clips have been seen about Houston Metro's management.
- Metro wants FFGAs by the end of July.

- Someone on the Mayor's transition team has asked for a copy of the financial capacity assessment (FCA). The Administrator suggests they send a request for the FCA to the Metro Board's Chair after we send the report to the Chair and staff.
- NEXT STEPS/ACTION ITEMS:
  - TPE will see if a briefing can be scheduled for next week.
  - Secretary LaHood, Administrator Rogoff, and the Mayor will meet in Houston on May 5<sup>th</sup>.

### **Portland-Milwaukie**

- What annual New Starts amount can TriMet presume? Can they presume \$150.0 million or \$250.0 million annually?
- Finance charges could be avoided with the higher annual New Starts funding figure.
- They want to receive FD approval this summer.
- TriMet is working on the financial plan. They want to know how much annual New Starts funding can they presume?
- If they can presume annual New Starts funding of \$250.0 million, then no financing will be required.
- TPE is assessing the New Starts pipeline to show potential annual New Starts program funding for the next few years.
- A bigger issue might be the amount of funding that regions receive.
- NEXT STEP/ACTION ITEM:
  - Based on the New Starts pipeline spreadsheet given earlier during this meeting, FTA should tell TriMet to lower its expectations and tell New Jersey Transit to assume \$300.0 million of annual New Starts funds.
  - FTA might need to develop a sliding scale of New Starts annual funding for projects.. Maybe we should tell grantees that we will divide funding within a six- or seven-year period for projects.

### **Sacramento South Corridor**

- Staff is preparing a letter to send to Congresswoman Matsui.